GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Servants – Commercial Taxes Department – Surprise Check conducted over the Integrated Check Post, Purushottapuram, Ichapuram Mandal, Srikakulam District on 03.06.2016 – Allegations of Corruption – Initiation of Disciplinary Proceedings against Sri Ch.Mukhalingam, Jr.Asst., CT Department, Integrated Check Post, Purushottapuram, Ichapuram Mandal, Srikakulam District under Rule 20 of Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991 - Article of Charges – Issued.

REVENUE (VIGILANCE-II) DEPARTMENT

G.O.Rt.No.973 **Dated:22-12-2020**
Read the following:

1. From DG, ACB, A.P, SC.No.63/DES-VSK/2016-S.12, dated:21.10.2020.
2. G.O.Ms.No.383, Revenue (Vig.II) Department, dated:22-12-2020.
3. G.O.Ms.No.386, Revenue (Vig.II) Department, dated:22-12-2020.

******

O R D E R :

In continuation of the orders issued under Rule 24 of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991 in the reference 2nd read above, it is considered necessary to hold an enquiry against Sri Ch.Mukhalingam, Junior Assistant, CT Department, Integrated Check Post, Purushottapuram, Ichapuram Mandal, Srikakulam District under Rule 20 of the said rules.

2. The substance of the imputation of misconduct or misbehavior in respect of which the inquiry is proposed to be held is set out in the enclosed statement of articles of charge (Annexure-I) and the imputation of misconduct or misbehavior in support of each article of charge is enclosed (Annexure-II). A list of documents by which and a list of witnesses by whom the articles of charge are proposed to be sustained are also enclosed (Annexure-III & IV).

3. Sri Ch.Mukhalingam, Junior Assistant, CT Department, Integrated Check Post, Purushottapuram, Ichapuram Mandal, Srikakulam District is directed to submit within ten days of the receipt of this order a written statement of his defense.

4. He is informed that an inquiry will be held only in respect of those articles of charge as are not admitted. He should, therefore, specifically admit or deny each article of charge.

5. Sri Ch.Mukhalingam, Junior Assistant, CT Department, Integrated Check Post, Purushottapuram, Ichapuram Mandal, Srikakulam District is further informed that if he does not submit his written statement of defense on or before the date specified in para 3 above, further action will be processed based on the material available.

6. Attention of Sri Ch.Mukhalingam, Junior Assistant, CT Department, Integrated Check Post, Purushottapuram, Ichapuram Mandal, Srikakulam District is invited to Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964 under which no Government servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interests in respect of matters pertaining to his service under Government. If any representation is received on his behalf from another person in respect of any matter dealt with in these proceedings, it will be presumed that he is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964.

P.T.O

7. The receipt of this order may be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

RAJAT BHARGAVA
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To

Sri Ch.Mukhalingam, Junior Assistant, CT Department, Purushottapuram, Ichapuram Mandal, Srikakulam District (w.e, Annexures-I to IV) through the Chief Commissioner of State Tax, Andhra Pradesh, Vijayawada. (with a request to serve the order on the individual and send the served copy with dated signature to Government)

Copy to:

The Chief Commissioner of State Tax, Andhra Pradesh, Eeedpugallu, Vijayawada.

The Secretary to Vigilance Commissioner, Andhra Pradesh Vigilance Commission, Velagapudi.

The Director General, Anti Corruption Bureau, Pandit Nehru Bus Station, NTR Administration Block, 2nd Floor, Andhra Pradesh, Vijayawada.

The Deputy Commissioner, Commercial Taxes, Srikakulam District.

SF/SC.

// FORWARDED BY ORDER //

SECTION OFFICER

ANNEXURE-I

STATEMENT OF ARTICLE OF CHARGES FRAMED AGAINST SRI CHENCHALA MUKHALINGAM, AGE 58 YEARS, JUNIOR ASSISTANT, COMMERCIAL TAX DEPT, INTEGRATED CHECK POST, PURUSHOTTAPURAM, ICHAPURAM MANDAL, SRIKAKULAM DISTRICT.

Sri Chenchala Mukhalingam, Junior Assistant in Commercial Tax Dept, Integrated Check Post, Purushottapuram joined in Government Service on 01.03.1984 as Attender in Olo the Divisional Co-operative Officer, Srikakulam and transferred to Commercial Taxes Department and posted in O/o the DCTO, Amadalavalasa on 01.04.1991. He was promoted as Junior Assistant on 14.12.1994 and he worked as such in Commercial Tax Dept at Srikakulam. Later he was transferred to Integrated Check Post, Itchapuram and he worked as Junior Assistant, Integrated Check Post, Itchapuram from 06.11.2015 and committed the following grave mis-conduct in as much

CHARGE:

That Chenchala Mukhalingam, Junior Assistant and other officials of the check post are collected bribe from the crew members of the transport vehicles directly and indirectly through the private persons i.e. unauthorized agents. On the date of surprise check, 5 private persons were caught and seized an amount of Rs.27,290/- from them. During the surprise check, it is observed that the drivers and cleaners of the vehicles are giving the amounts ranging from Rs.300/- to Rs.500/- as mamools at the counters along with papers for stamping and when the amount was counted from 09.40 PM to 10.10 PM on 03.06.2016. It comes to Rs.18,230/-. Out of Rs.18,230/-, Rs. 14920/- was collected at the counter NO.1 (Incoming & Outgoing Counter) and Rs.3,100/- at counter.NO.2 (Transit Pass Counter) of Commercial Tax Department. Cash of Rs.210/was collected at the Agricultural Market Committee Counter.

Thus Sri Chenchala Mukhalingam, Junior Assistant by his above mentioned acts has exhibited lack of integrity, devotion to the duty and conduct unbecoming of a Govt. Servant and thereby contravened Rule 3(1) & (2) of APCS (Conduct) Rules, 1964 r/w Rule 9 of A.P. Revised Pension Rules, 1980.

RAJAT BHARGAVA
SPECIAL CHIEF SECRETARY TO GOVERNMENT

// FORWARDED BY ORDER //

SECTION OFFICER

ANNEXURE-II

STATEMENT OF IMPUTATIONS OF MISCONDUCT IN SUPPORT OF THE ARTICLE OF CHARGES FRAMED AGAINST CHENCHALA MUKHALINGAM, AGE 58 YEARS, JUNIOR ASSISTANT, COMMERCIAL TAX DEPT, INTEGRATED CHECK POST, PURUSHOTTAPURAM, ICHAPURAM MANDAL, SRIKAKULAM DISTRICT.

Sri Chenchala Mukhalingam, Junior Assistant in Commercial Tax Dept, Integrated Check Post, Itchapuram is native of Telkipeta Village, Sarubujjili Mandal, Srikakulam District. His date of birth is 10.01.1959. He joined in Government Service on 01.03.1984 as Attender in O/o the Divisional Co-operative Officer, Srikakulam and transferred to Commercial Taxes Department and posted in O/o the DCTO, Amadalavalasa on 01.04.1991. He was promoted as Junior Assistant on 14.12.1994 and he worked as such in Commercial Tax Dept at Srikakulam. Later he was transferred to Integrated Check Post, Itchapuram and he worked as Junior Assistant, Integrated Check Post, Itchapuram from 06.11.2015. He is drawing basic pay of Rs.38130/- and he is attaining superannuation on 31.12.2019. He is here-in-after called as Government Servant.

CHARGE:

That the Govt. Servant and other officials of the check post are collected bribe from the crew members of the transport vehicles directly and indirectly through the private persons i.e. unauthorized agents. On the date of surprise check, 5 private persons were caught and seized an amount of Rs.27,290/- from them. During the surprise check, it is observed that the drivers and cleaners of the vehicles are giving the amounts ranging from Rs.300/- to Rs.500/- as mamools at the counters along with papers for stamping and when the amount was counted from 09.40 PM to 10.10 PM on 03.06.2016. It comes to Rs.18,230/-. Out of Rs. 18,230/-, Rs. 14920/- was collected at the counter NO.1 (Incoming & Outgoing Counter) and Rs.3,100/- at counter.NO.2 (Transit Pass Counter) of Commercial Tax Department. Cash of Rs.210/- was collected at the Agricultural Market Committee Counter.

FACTS AND EVIDENCE:

On receipt of credible information that the employees of the Integrated Check Post, Itchapuram, Srikakulam were indulging in corrupt practices habitually by collecting illegal gratifications directly and also through private persons by abusing their official position from the crew members/ owners of the vehicles, whose vehicles are passing through check post, without conducting physical verification of the vehicles and connected records of the vehicles and goods being transported and not collecting authorized fees/ tax dues and fines for the violations from the owners and crew members of the vehicles and causing huge loss to the Govt. exchequer for their personal gain.

The DSP and staff along with mediators left the ACB office in vehicles and reached the Integrated Check Post, Itchapuram and watched the happenings at the respective counters for five minutes and organized a surprise check on the Integrated Check Post, Itchapuram in the presence of mediators by the DSP with the assistance of other officers, staff of ACB and staff of special Party of Srikakulam from 09.00 PM on 03.06.2016 to 01.30 AM on 04.06.2016 and the mediators prepared the proceedings.

At about 08.50 PM, the surprise check teams apprehended the five private agents at the counters of Commercial Tax and AMC of Integrated Check Post, Purushottapuram while they are collecting mamools from the crew members on behalf of the employees of the Check Post.

(P.T.O)

The DSP enquired them separately in the presence of official mediators about their presence at check post counters and about the possession of the cash. The said private persons stated that they were engaged by the officials of Commercial Tax Department and AMC of the check post to collect illegal amount from the crew members/owners of the vehicles, who are passing through the check post for stamping their records and for issuing transit passes without verifying the vehicles and the goods being transported physically. They collect the bribe amounts from the crew members/owners of the vehicles @ Rs.300/- to Rs.500/- for the officials of commercial taxes department and Rs. 10/- for AMC officials. They take 10% of the collected bribe amount and handover the remaining amounts to the officials. Due to the involvement of these private persons the staffs of the check post are stamping the records as a routine without physical verification of the vehicles and without scrutinizing the records of the vehicles, violating the guidelines of the departments concerned. The written statements of the above unauthorized private agents were got recorded in the presence of the mediators for the purpose of further enquiry. The DSP seized the amounts found in their possession i.e., 27,290/-.

Thereafter, the DSP and surprise check party, entered into the integrated check post where the counters of Commercial taxes and transport department are located. Three Commercial Tax counters (Incoming & Outgoing, Transit Pass counter), one Transport Dept. Counter are manning inside the building and outside the building there are three counters, viz., Excise Department counter, Agricultural Market committee counter and joint counter for Forest Dept and Mines & Geology Department. When we entered into the premises of Integrated Check-post, we noticed 01 male person and one female person, inside the entrance room of the building and 4 male persons are found sitting on the chairs in the two counters in the main hall of the said check-post building. Among them two persons were found in uniform in the last counter. The remaining counter is manned by the personnel in civil dress. We also noticed crowd gathered just in front of the said counters, i.e. outside the building premises and submitting some documents. All the personnel in the counters are receiving the documents from the persons on the other side of the counters and involved in entering their records and stamping them. In Excise Dept. counter, no officials are present. In Agricultural Market committee counter one Market Supervisor, one outsourcing security guard are present. One Forest Beat Officer is present in the Forest Dept. counter present. No officials of Mines & Geology Department are present in the check post premises.

The DSP introduced himself and that of other members of the search party to the persons available in the counters and questioned them about the Incharge of the Check Post. One person came forward and introduced himself as Sri Vomi Surya Rao, S/o Appa Rao, 56 years, ACTO, Commercial Tax Department and informed that Sri C.V. Narayana Reddy, CTO is the Administrative Officer and in charge of the check post from 10.00 hours to 17.00 hrs in the day time. He has also informed that Sri V. Ramakrishna, DCTO who is supposed to be present for duty as Incharge of the check post in B shift is on leave. Hence, he is acting as the Incharge of the check post from 02.00 PM to 09.00 PM in this shift. He also stated that the employees of the check post are working in three shifts i.e. A shift - from 07.00 AM to 02.00 PM, B Shift – from 02.00 PM to 09.00 PM and C shift – from 09.00 PM to 07.00 AM on next day in four batches. The DSP instructed the ACTO to contact the Admn. Officer and to ask him to come to Check Post immediately. Accordingly the ACTO contacted the AO over phone and informed about the surprise check and informed him to come to check post immediately as instructed by the Deputy Superintendent of Police.

Contd.,3

The DSP requested the other persons available in the check post to disclose their identity and they disclosed their identity department wise as follows:

Commercial Tax Department:

1) Sri Chenchala Mukhalingam, S/o late Ramamurthy, age 57 years, Jr.Asst., Commercial Taxes Department, (Incoming Counter)
2) Kum. Ponnada Bhanu, D/o late P. Sanyasi Rao, age 24 years, Jr. Asst., Commercial Taxes Department, (Outgoing counter)
3) Sri Tarini Nayak, S/o Narasing Nayak, age 52 years, Jr. Asst., Commercial Taxes Department, (Transit Pass counter)

Sri V. Surya Rao, ACTO stated that collection of user charges was handed over to private agencies by the Government, hence no user charges are being collected at Check Post.

Transport Department:

1) Sri Seemala Leela Prasad, S/o Gopalarao Naidu, age 40 years, Asst., Motor Vehicle Inspector, Transport Department (Transport counter)
2) Sri Kella Srinivas, S/o Sanyasi Rao, 44 years, AMVI, Transport Department, (Transport Counter)

Agricultural Market Committee counter:

1. Sri Betha Srinivasa Rao, S/o Sambasiva Rao, age 49 years, Supervisor, Agrl.Market Committee (AMC Counter)
2. Sri Paluvuri Jagga Rao, S/o late Guru Murthy, age 43 years, Outsourcing Security Guard, AMC, Ichapuram.

Forest Department counter:

1. Sri Laxmipuram Dharma Rao, S/o Seetharam, age 49 years, Forest Beat Officer, Forest Department (Forest dept., counter)
2. Sri Savara Krishna Rao, S/o labo, age 36 years, Outsourcing Forest Watcher, Forest Department (Forest Dept., counter)

Sri L. Dharma Rao, Forest Beat Officer stated that he has to attend duty from 07.00 AM on 03.06.2016 to 07.00 AM on 04.06.2016, but he attended duty at 08.00 PM and he did not sign in the attendance register. He further stated that the Mines & Geology counter is also being run in their counter only and no officers of Mines & Geology are present.

Prohibition & Excise Department counter:

The P & E counter is locked from outside and no one is present at the counter, but the stamp and stamp pad are kept at the counter and the vehicle drivers/cleaners are themselves stamping their records.

Later, Sri C.V. Narayana Reddy, Administrative Officer, Integrated Check Post, Purushottapuram came to the check post at about 09.30 PM and attended before the DSP, ACB, introduced himself. When the DSP asked the Admn. Officer about the functioning of the Integrated Check Post, he stated that Commercial Tax Department, Transport Department, Proh. & Excise department, forest department, Mines & Geology Department and the Agricultural Market Committee are working in the Integrated Check Post. The departments concerned have to verify the bills and the connected records in their respective counters as to the validity of the records/documents for the goods transported in the vehicles and the department concerned are expected to take action as per law.

Contd.,4

When the DSP asked the Admn. Officer to produce the attendance register, duty register and personal cash declaration register of the check post, the Admn. Officer produced duty register, attendance register and personal cash declaration register. When questioned regarding the duty charts, the Admn. Officer stated that copies of the duty charts are pasted on the notice board and office copies of the duty charts are being maintained by the head clerk and now they are not available with him. He got removed the duty charts from the notice board and handed over the same to the DSP, ACB. The duty chart of the AMC and Forest Department officials are not available. When questioned, the Admn. Officer informed that the AMC officials and Forest officials are preparing their duty charts and they have not handed over their duty charts of June, 2016 so far.

The DSP verified the duty register and found that Sri V. Ramakrishna, DCTO, who is supposed to be on duty from 02.00 PM to 09.00 PM is on leave. Sri D. Ramesh, ACTO signed in the duty register but not present at the time of surprise check. Sri D. Nanaji Reddy, ACTO signed in the duty register but not available at the time of surprise check and it is marked that half day leave against the signature of D. Nanaji Reddy, ACTO. Smt. K. Bharathi and Sri M. Krishna Rao, Office Subordinates signed in the duty register but not available in the check post premises at the time of surprise check. The leave letters of the DCTO and ACTO Sri D. Nanaji Reddy are available in the attendance register. Sri S. Leela Prasad and Sri K. Srinivas, AMVIs are present in the check post. Sri R. Anil, MVI, who is supposed to be present, is shown Court Duty in the attendance register. V. Umamaheswara Rao, HG 87 signed in the duty register but not present in the check post premises at the time of surprise check.

Sri Md. Rehaman Ali, Technical Asst of Mines & Geology Dept., who is supposed to be present in the check post from 02.00 PM on 03.06.2016 to 02.00 PM on 04.06.2016 is not present in the check post premises. He was absent to duty without any leave or permission. He has not signed in the attendance register and duty register.

Sri R. Nanababu, P&E Sub Inspector, who is supposed to be present for duty in the check post from 02.00 PM on 03.06.2016 to 02.00 PM on 04.06.2016 is not present in the check post premises. He was absent to duty without any leave or permission. He has not signed in the attendance register and duty register.

The DSP verified the personal cash register maintained in the check post and found that the following employees have declared their personal cash as follows. On physical verification of the employees, the cash found in their possession is noted against their names.

Sl.No.	**Name of the employee**	**Counter**	**Personal cash declared**	**Personal cash available**	**Excess/ Shortage**
Commercial Taxes Dept:					
1.	V.Surya Rao, ACTO		380	380	---
2.	Ch. Mukhalingam, Jr.Asst.,	Incoming Counter	80	80	---
3.	P.Bhanu, Jr.Asst.,	Outgoing Counter	200	200	---
4.	Taruni Nayak, Jr.Asst.,	Transit Pass counter	200		
Transport Department					
6.	S. Leela Prasad, AMVI	Transport Counter	250	210	40 Shortage

7.	K.Srinivas, AMVI	Transport Counter	250	240	10 Shortage
Agricultural Market Committee:					
9.	B.Srinivasa Rao, Supervisor on duty from 09.00 AM on 03.06.2016 to 09.00 AM on 04.06.2016	AMC Counter	90	Not Declared	----
10.	P.Jagga Rao, Outsorving employee, on duty from 09.00 AM on 03.06.2016 to 09.00 AM on 04.06.2016	AMC Counter	10	Not declared	---
Forest Department					
11	L. Dharma Rao, Forest Beat Officer	Forest Dept., Counter	95	Not declared	---
12	S. Krishna Rao, Outsourcing Forest Watcher	Forest Dept., Counter	40	Not declared	----

Sri Revu Dastagiri, HCL Engineer, who is available in the server room did not declare his personal cash.

When the DSP enquired the AMVIs about the shortage of the amounts, they stated that they have expended the amounts for their personal expenditure.

The Duty register was maintained from 07.05.2016 to 03.06.2016 written upto page No. 85, attendance register of Integrated Check post for the month of June, 2016 and Personal cash Declaration Register (Cash register) was maintained from 16.04.2016 to 03.06.2016 written upto page No. 147 by duly obtaining our signatures. The DSP seized the attendance register, duty register, personal cash register, money register and 7 sheets of duty charts. 5 CL applications are available in the attendance register.

Two AMVIs viz., Sri U. Durga Prasad and Sri MSV Prakash Rao attended for duty at 09.00 PM. The staffs of Commercial Taxes Department have not attended for duty.

The DSP deployed the Inspector Sri P. Srinivasa Rao to incoming & outgoing counter, Sri T. Rama Rao, PC 2336 to Transit Pass counter, PC 962 Sri Ch. Viswanadham to Transport counter and PC 486 Sri L. Chinnam Naidu to agricultural market committee counter and PC 553 Sri T. Ramesh Babu to Forest department counter to sit along with the check post officials in their respective counters and to watch the happenings in the counters to know how the bribe amounts are being collected in the check post. The DSP, ACB instructed Admn. Officer and the mediators to observe the happenings in the counters. Accordingly they observed all the counters. During the observation it is noticed that the drivers/crew members, who are coming for stamping on their documents, as a routine, giving bribes ranging from Rs. 300/- to 500/- at Commercial Taxes Dept. counter and at Agrl. Market Committee counter they have paid Rs. 10/- per vehicle. The DSP pooled the amounts collected at the counters from 09.40 PM to 10.10 PM. The DSP, ACB seized the above amount of Rs. 18,230/-. During the verification, it is found that the employees of Transport Department, Commercial Tax Department and Agrl. Market Committee department are not checking the records and the vehicles and the materials being transported in the vehicles and they are putting the stamps as a routine. They have not even went outside for physical verification of vehicles.

Contd.,6

At 10.10 PM, the following employees of Commercial Tax Department have attended for 3rd shift duty instead of at 09.00 PM.

1. Sri L. Satyanarayana, ACTO
2. Sri P. Adinarayana, Jr. Asst.,
3. Sri T. Srinivasa Rao, Jr. Asst.,

The other two ACTOs Smt. S. Arundhathi, Sri R. Sridhara Rao and Jr. Asst., K. Ramadevi are on casual leave.

Then at the directions of the DSP, the staff of the ACB randomly secured the drivers from different counters and on questioning them they categorically stated that it has been a regular process for them to come to the Commercial Tax department and Agrl. Market Committee counters for stamping. At the time of stamping they simply bring their bills, invoices, way bills, delivery challans and loading passes to the counters and when they pay the bribes ranging from Rs.300/- to 500/- to the staff of the check post or their unauthorized agents (private persons), the staff affix the stamp on the way bills of their vehicle without physically verifying the goods being transported and the vehicles and vehicle records pertaining to them. The statements of the above drivers were obtained in the presence of the mediators for the purpose of further enquiry.

Then the DSP verified the Govt. cash found in the check-post. There is Govt. cash of Rs.3,000/- collected by the Commercial Taxes, Rs.1,55,930/- by Transport Department third shift i.e. from 02.00 P.M. to 09.00 PM on 03.06.2016. An amount of Rs.63,110/- was collected in Agricultural Market Committee counter from 09.00 AM on 03.06.2016 to 09.00 PM on 03.06.2016. On verification of registers, the entries found tallied with the Govt. cash collected in the Commercial Taxes, Transport Dept. and Agrl. Market Committee counters. The registers and the Government Cash were handed over to concerned officials by the DSP.

On enquiry, the Admn. Officer Sri C.V. Narayana Reddy informed that a total of 877 vehicles i.e., 244 vehicles came into Andhra Pradesh from other states, 100 vehicles passed through Andhra Pradesh to another states and 533 vehicles went out of the state from 02.00 PM to 09.00 PM on 03.06.2016. At the time of surprise check, all the employees of commercial tax department, the two AMVIs who are on duty and the employees of Agrl. Market Committee and Forest Department were available in the check post building. This proves that the employees of the check post are not conducting physical verification of the vehicles, goods being transported as per the records.

The check post officials supposed to check each and every vehicle passing through the check post to find out the violations made by them under M.V. Act and rules, Commercial Tax Act etc., and they are supposed to collect the tax dues and fine amounts accordingly, but they are allowing the vehicles to pass through the check-post without verifying the vehicles and the vehicle records by abusing their official position and collecting bribes thereby causing huge loss to the Govt. exchequer.

The Government and the Heads of the Departments have clearly issued certain instructions to the staff performing duties at the check post through following Orders and circular memorandums.

a) Circular Memo No. 19/11718/1/2004 Dt: 26.10.2004
b) Circular Memo No.2/6536N3/2004, Dt:10.11.2004
c) G.O.M.s.No. 178, Dt: 08.10.2002
d) Memo No. 101/API.B/2000-4, G.A.(Spl.B) Dept. Dt: 17.04.2001

Contd.,7

e) Circular No.261/1626813/05., Dt.26.07.2006 of the Transport Commissioner, A.P., Hyderabad.
f) Circular No.9/15153N3/1998, dt.15.02.2007 of the Transport Commissioner, A.P., Hyderabad
g) Circular Memo No.5/10911N3/2011, Dt. 17.08.2011 of the Transport Commissioner, A.P, Hyderabad.

More or less the Government and the Authorities through the above G.Os and Circular Memos have clearly stated that no private person should be allowed in and around the check post premises. Even the employment of private persons without authorization is not permissible. The in charge of check post should ensure that a notice board is displayed with the details of the officer to whom any grievance can be made. It is also made clear to the staff of the check post that presence of such persons in the premises of the check post deems that such person is present in the check post to collect bribes on behalf of the staff of the check post.

The evidence on record is sufficient to prove that Government Servant and other officials of the check post are collected bribe from the crew members of the transport vehicles directly and indirectly through the private persons i.e. unauthorized agents. On the date of surprise check, 5 private persons were caught and seized an amount of Rs.27,290/- from them. During the surprise check, it is observed that the drivers and cleaners f the vehicles are giving the amounts ranging from Rs.300/- to Rs.500/- as mamools at the counters along with papers for stamping and when the amount was counted from 09.40 PM to 10.10 PM on 03.06.2016. It comes to Rs. 18,230/-. Out of Rs. 18,230/-, Rs. 14920/- was collected at the counter NO.1 (Incoming & Outgoing Counter) and Rs.3,100/- at counter.NO.2 (Transit Pass Counter) of Commercial Tax Department. Cash of Rs. 210/- was collected at the Agricultural Market Committee Counter.

Thus the Government Servant by his above mentioned acts has exhibited lack of integrity, devotion to the duty and conduct unbecoming of a Govt. Servant and thereby contravened Rule 3(1) & (2) of APCS (Conduct) Rules, 1964 r/w Rule 9 of A.P. Revised Pension Rules, 1980.

The Govt. Servant has therefore rendered himself liable for regular departmental action for major penalty.

RAJAT BHARGAVA
SPECIAL CHIEF SECRETARY TO GOVERNMENT

// FORWARDED BY ORDER //

SECTION OFFICER

ANNEXURE-III

LIST OF DOCUMENTS BY WHICH ARTICLES OF CHARGES FRAMED AGAINST SRI CHENCHALA MUKHALINGAM, AGE 58 YEARS, JUNIOR ASSISTANT, COMMERCIAL TAX DEPT, INTEGRATED CHECK POST, PURUSHOTTAPURAM, ICHAPURAM MANDAL, SRIKAKULAM DISTRICT.

1.	Original mediators report dated on 03.06.2016 from 2100 hrs to on 04.06.2016 to 0130 hrs drafted at ICP, Purushothapuram, Itchapuram
2.	Attendance Register
3.	Duty Register
4.	Duty Roster Sheet
5.	Personal Cash Declaration Register
6.	Statement of Alapana Nageswara Rao, S/o Polarao, age 25 years, Bellupada village, Ichapuram
7.	Statement of Chatla Dudisti, S/o Bhagi redid, age 33 years, Reddika, Purushothapuram village, Ichapuram Mandal
8.	Statement of Chadi Gopalam, S/o Dilleswara Rao, age 18 years, Pursushottapuram village, Ichapuram Mandal
9.	Statement of Gali Krishna Rao, S/o late Ramaswamy, age 42 years, Purushothapuram village, Ichapuram Mandal
10.	Statement of Parapathi Papayya @ Pandu, S/o late Jaggayya, age 30 years, Mulapadra, Near Mandapalli, Ichapuram Mandal
11.	Statement of Sri Velala Venkata Murali Krishna, S/o Subba RAo, age 34 years, Kuppanapudi village, Akiveedu mandal, West Godavari District. Driver of lorry AP 37 TA 4799
12.	Statement of Kondadasula RAmabrahmam, S/o Satyanarayana, age 27 years, Kanchatam village, Bantimilli mandal, Krishna District, driver of lorry AP 37 TA 9999
13.	Statement of Sri Pilli Babu Rao, S/o Polipilli, age 40 years, Pydivada village, Sabbavaram mandal, Visakhapatnam District. Driver of lorry AP 31 TF 2444
14.	Statement of Sri Chukka Venku Naidu, S/o Demudu, age 45 years, Iruvada village, Atchyuthapuram mandal, Visakhapatnam District. Driver of lorry AP 31 TF 3369.
15.	Statement of Sri Sriripurapu Suryanarayana, S/o Mutyala Rao, age 50 years, Prasadampadu, Vijaywada. Driver of lorry AP 16 TW 4929
16.	Reply from Administrative officer, ICP, Purushothapuram vide Rc.No. 14/2016 HC dated 20.06.2016 along with service particulars of charged officer.
17.	Copies of following circulars: a) Circular Memo No. 19/11718/1/2004, Dt: 26.10.2004 b) Circular Memo No.2/6536/3/2004, Dt:10.11.2004 c) G.O.M.s.No. 178, Dt: 08.10.2002 d) Memo No. 101/API.B/2000-4, G.A.(Spl.B) Dept. Dt: 17.04.2001 e) Circular No.261/16268N3/05., Dt.26.07.2006 of the Transport Commissioner, A.P., Hyderabad. f) Circular No. 9/15153N3/1998, dt.15.02.2007 of the Transport Commissioner, A.P., Hyderabad g) Circular Memo No.5/10911N3/2011, Dt.17.08.2011 of the Transport Commissioner, A.P, Hyderabad.
18.	If any document required, will be submitted at the time of enquiry.

RAJAT BHARGAVA
SPECIAL CHIEF SECRETARY TO GOVERNMENT

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SECTION OFFICER

ANNEXURE-IV

LIST OF WITNESSES BY WHOM ARTICLES OF CHARGES FRAMED AGAINST SRI CHENCHALA MUKHALINGAM, AGE 58 YEARS, JUNIOR ASSISTANT, COMMERCIAL TAX DEPT, INTEGRATED CHECK POST, PURUSHOTTAPURAM, ICHAPURAM MANDAL, SRIKAKULAM DISTRICT.

1.	Sri Tanikella Jagannadha Rao, S/o late T.V.K. Sharma, age 56 years, Head master, Z.P. High School, Patrunivalasa village, Srikakulam Rural mandal, R/o D.No.8-226, Bhaskara Nagar Colony, Bondilipuram, Srikakulam
2.	Sri Boddepalli Nagabhushana Rao, S/o Malleswara Rao, age 45 years, School Asst., (Physical Sciences), Z.P. High School, Patrunivalasa village, Srikakulam Rural mandal. R/o Plot No. 431, 8th line, PN Colony, Srikakulam.
3.	Alapana Nageswara Rao, S/o Polarao, Age 25 years, Bellupada village, Ichapuram
4.	Chatla Dudisti,S/o Bhagi redid, Age 33 years, Reddika, Purushothapuram village, Ichapuram Mandal
5.	Chadi Gopalam, S/o Dilleswara Rao, Age 18 years, Pursushottapuram village, Ichapuram Mandal
6.	Gali Krishna Rao, S/o late Ramaswamy, Age 42 years, Purushothapuram village, Ichapuram Mandal
7.	Parapathi Papayya @ Pandu, S/o late Jaggayya, Age 30 years, Mulapadra, Near Mandapalli, Ichapuram mandal.
8.	Sri Velala Venkata Murali Krishna, S/o Subba Rao, Age 34 years, Kuppanapudi village, Akiveedu mandal, West Godavari District. Driver of lorry AP 37 TA 4799.
9.	Kondadasula RAmabrahmam, S/o Satyanarayana, Age 27 years, Kanchatam village, Bantimilli mandal, Krishna District, driver of lorry AP 37 TA 9999
10	Sri Pilli Babu Rao, S/o Polipilli, age 40 years, Pydivada village, Sabbavaram mandal, Visakhapatnam District. Driver of lorry AP 31 TF 2444.
11.	Sri Chukka Venku Naidu, Slo Demudu, age 45 years, Truvada village, Atchyuthapuram mandal, Visakhapatnam District. Driver of lorry AP 31 TF 3369.
12.	Sri Sriripurapu Suryanarayana, S/o Mutyala Rao, age 50 years, Prasadampadu, Vijaywada. Driver of lorry AP 16 TW 4929.
13.	Sri T.Rama Rao, PC 2336 of ACB, Srikakulam Range
14.	Sri L.Chinnam Naidu, PC 486 of ACB, Srikakulam Range
15.	Sri T. Ramesh Babu, PC 553 of ACB, Srikakulam Range
16.	Sri K.Ranga Raju, Deputy Superintendent of Police, ACB, Srikakulam Range.
17.	Sri P.Srinivas Rao, Inspector of police, ACB, Srikakulam Range.

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